

**HINTS ON ADVOCACY,
INTENDED FOR
PRACTITIONERS IN CIVIL
AND CRIMINAL COURTS**

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Hints on Advocacy, Intended for Practitioners in Civil and Criminal Courts by Richard Harris & William L. Murfree

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RICHARD HARRIS & WILLIAM L. MURFREE

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Mass.

HINTS ON ADVOCACY,

INTENDED FOR PRACTITIONERS

IN CIVIL AND CRIMINAL COURTS.

WITH SUGGESTIONS

AS TO OPENING A CASE, EXAMINATION-IN-CHIEF, CROSS-
EXAMINATION, RE-EXAMINATION, REPLY, CONDUCT
OF A PROSECUTION AND OF A DEFENSE, ETC.,
AND ILLUSTRATIVE CASES;

BY RICHARD HARRIS,

BARRISTER AT LAW, OF THE MIDDLE TEMPLE AND MIDLAND CIRCUIT.

Third American from the Sixth English Edition.

REVISED AND ENLARGED

By WILLIAM L. MURFREE, SR.

ST. LOUIS, MO.:
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PREFACE TO THE FIRST ENGLISH EDITION.

THERE is no SCHOOL OF ADVOCACY; there are no LECTURES ON ADVOCACY; and so far as I have been able to ascertain, there is no BOOK on the subject. The young lawyer has to find his way as best he can, very often to the sacrifice of important interests and many unfortunate clients. As he has never learned anything of the *Art of Advocacy*, he is no more fitted for the task of advocating their rights than the clients themselves, except in so far as his knowledge of law will assist him in the purely legal aspects of the question. It seems to me lamentable that no instruction should ever be given in an art which requires an almost infinite amount of knowledge. Tact can not be taught, but it will follow from experience, and a good deal of experience may be condensed into the form of rules. "I never felt so much in want of a leader as I did when I had to cross-examine that doctor," said a talented junior of considerable standing, the other day. Why should this have been? What he had to cross-examine about was simple enough, although the question involved was the sanity or insanity of an individual at a particular time. But he had no rule to guide him, and was simply *adrift*. It is with the hope that some of the observations I have made in the course of my experience may be of some little service to beginners in the profession, and whose want of knowledge of this great practical branch of it is no fault of theirs, that I have ventured to offer them the following "Hints."

TEMPLE, Sept. 17, 1879.

PREFACE TO THE SECOND AMERICAN EDITION.

In revising this admirable work of an English barrister, while discarding matter inapplicable to our system of practice, I have carefully avoided the exclusion of anything of value to the American reader. Seeking to further promote its utility to our young advocates, I have added four new chapters treating respectively of "American Forensic Oratory," "Ethics of Advocacy," "This Honorable Court," and "Gentlemen of the Jury." In Chapter IV, on "Classes of Witnesses," I have ventured to insert sections characterizing the "Expert" witness, the "*Non mi Ricorde*" witness, the "Swift" witness, the "Bullying" witness, and the "Female" witness, as these types appear so frequently on the stand as to entitle them to separate mention.

The success which this little book has achieved has already demonstrated that it supplies a great need, and it is hoped that the changes and additions which have been made will better adapt it to the wants of American students and those young advocates who are still grateful for "Hints."

W. L. MURFREE, Sr.

St. Louis, Mo., April 20, 1881.

PREFACE TO THE THIRD AMERICAN EDITION.

In offering to the public a third edition of this valuable book, I have been gratified by the opportunity of adding some important new matter, from the issue of the author, which recently appeared in the sixth English Edition, and is now reproduced for the first time in America. It is composed of an additional series of Mr. Harris' admirable delineations of witness character, and will be found in Chapter IV. on the "Classes of Witnesses," affording further elucidation of that subject, certainly one of the most important that can engage the attention of an advocate, young or old.

With this addition it is confidently believed that this work will fully supply the want, which has long been felt in the profession, of a good, practical treatise on Advocacy.

W. L. MURFREE, SR.

ST. LOUIS, MO., January 24, 1884.

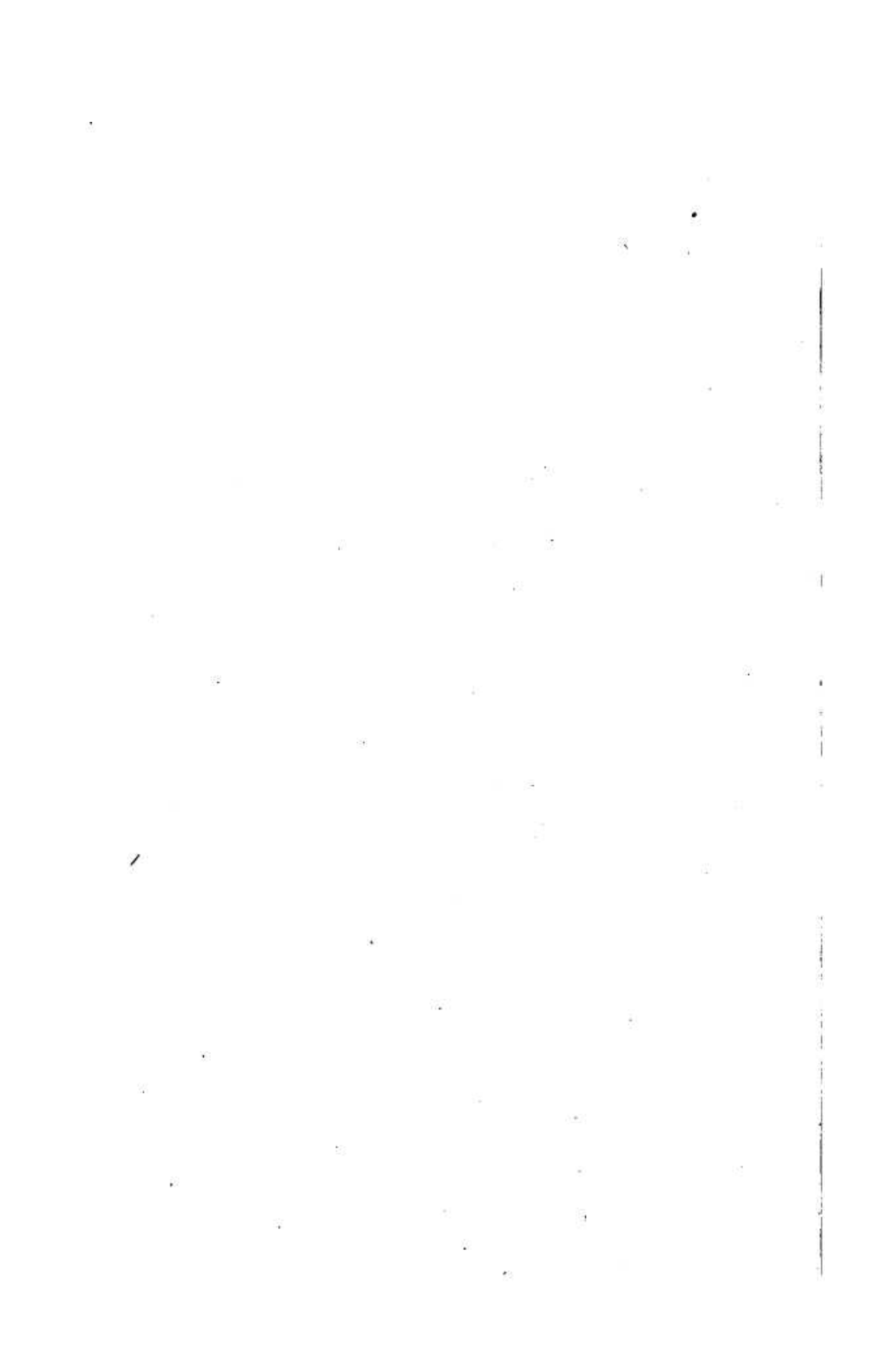


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